

Working together



PRIVACY NOTICE – ENFORCEMENT

Processing your information

We are processing your information in relation to a reported breach of planning control and in accordance with the Town and Country Planning Act 1990. Other national planning legislation that is of particular relevance to Planning Enforcement includes the following:

The Town and Country Planning (General Permitted Development) (England)

Order 2015 sets out what can be done under 'permitted development rights' i.e. without requiring specific planning permission from the Council.

The Town and Country Planning (Control of Advertisements) Regulations 2007 (as amended) sets out which advertisements benefit from deemed consent i.e. those advertisements which can be displayed without requiring express consent from the Council.

The Town and Country Planning (Use Classes) Order 1987 (as amended) sets out the various categories that different uses of land fall into and what comprises a material change of use requiring planning permission.

Planning (Listed Buildings and Conservation Areas) Act 1990 sets out the regards a Local Planning Authority must have to preserving or enhancing the character and appearance of listed buildings and conservation areas.

You can also see a copy of the Local Enforcement Plan (adopted April 2018) on our website by visiting www.middevon.gov.uk/residents/planning and selecting Local Enforcement Plan

Purpose of processing

Your information will be used by SHDC/WDBC to record breaches of planning control in order to carry out our investigations. We will require your name, address and contact details in order to record a breach. This is a statutory requirement but your information will remain confidential within the enforcement and legal teams and not held in the public domain in the same way as a planning application.

Your information could also be used to contact you regarding the application for the following reasons:-

1. Acknowledging your query/alleged breach
2. Providing updates
3. Asking for further information

Data Controller

South Hams District Council, Follaton House, Plymouth Road, Totnes, Devon, TQ9 5NE

West Devon Borough Council, Kilworthy Park, Drake Road, Tavistock, PL19 0BZ

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South Hams
District Council



West Devon
Borough
Council

Data Processor

Planning, South Hams District Council Follaton House, Plymouth Road, Totnes, Devon, TQ9 5NE

Planning, West Devon Borough Council Kilworthy Park, Drake Road, Tavistock, PL19 0BZ

Data Protection Officer

Data Protection Office, South Hams District Council Follaton House, Plymouth Road, Totnes, Devon, TQ9 5NE email: dataprotection@swdevon.gov.uk

Data Protection Office, West Devon Borough Council Kilworthy Park, Drake Road, Tavistock, PL19 0BZ e-mail: dataprotection@swdevon.gov.uk

Information security and data sharing

Your information is stored securely within the planning system, as part of the investigation process, your information (excluding personal contact numbers, email address and signatures) can be shared with other statutory consultees such as the Highways Agency, South West Water, Natural England, Building Control, Devon County Council, Council Tax and Public Health etc.

This is a statutory requirement under The Town and Country Planning (General Permitted Development) (England) Order 2015; the Town and Country Planning (Control of Advertisements) Regulations 2007 (as amended); the Town and Country Planning (Use Classes) Order 1987 (as amended) and the Planning (Listed Buildings and Conservation Areas) Act 1990.

Accuracy of information

We will process the information given at the time you submit a query/ alleged breach report. If your details change during an investigation you need to keep us informed, or this could result in delays to your query. Please email enforcement@swdevon.gov.uk or call us on 01803 861234 or 01822 813600 to keep us up to date

Retention

All documents are held indefinitely under the Town and Country Planning (General Permitted Development) (England) Order 2015; the Town and Country Planning (Control of Advertisements) Regulations 2007 (as amended); the Town and Country Planning (Use Classes) Order 1987 (as amended) and the Planning (Listed Buildings and Conservation Areas) Act 1990

Transferring Data outside of the EU

Your information will not be transferred outside the EU by SHDC/WDBC, however anyone who has access to the internet can view the planning representations received, even if they have not registered.

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Individual rights

You have certain rights under the Data protection Act and the EU General Data protection Regulations (GDPR). These can be found on the ICO website <https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/individual-rights/>

Complaints

If you are dissatisfied with the service that you have received in relation to your Planning Representation and wish to make a complaint, you should visit our website

South Hams –

<https://www.southhams.gov.uk/article/3659/Comments-and-Complaints> or write to us at [South Hams District Council, Follaton House, Plymouth Road, Totnes, TQ9 5NE](#)

West Devon -

<https://www.westdevon.gov.uk/article/3659/Comments-and-Complaints> or write to us at or West Devon Borough Council, Kilworthy Park, Drake Road, Tavistock, PL19